



MAIL STOP PETITION
Attorney Docket No. 26653U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

NORDHEIM et al.	Art Unit: Unknown
Serial No. 10/527,055	Conf No.: 7002
Filed: March 9, 2005	Examiner: Unknown
Internatl. Appl. No.: PCT/EP03/09923	
Internatl. Filing Date: September 8, 2003	
For: METHOD FOR DETECTING BIOMOLECULES	

PETITION UNDER 37 C.F.R. § 1.182

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

By this Petition, Applicants respectfully submit a bona fide Response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated June 14, 2005, was filed in the captioned Application on July 12, 2005. However, due to a typographical error in the Application Serial Number listed on the documents filed, the Response was not entered for the present application. Accordingly, Applicants respectfully request correction of the Application Serial Number listed on the documents filed on July 12, 2005.

11/08/2006 SZEWDIE1 00000093 10527055

Submitted herewith, please find ⁵¹FC-1462 copy of the ^{400.00}Op documents as filed on July 12, 2005, including a copy of the stamped filing receipt.

Applicants respectfully submit, as is evident on the as filed documents, Applicants intended the filing of July 12, 2005 to be entered in the present application. All of the information identifying the present application appears correct on the documents filed except for the U.S. Application Serial Number listed thereon. The inventors name(s), U.S. Filing Date, International Application Number, International Filing Date, and Title all correspond with the present application, i.e., Application No. 10/527,055, and not Application No. 10/503,261.

On August 29, 2006 a Notification of Abandonment was mailed by the United States Patent and Trademark Office to the Applicants indicating that a Response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated June 14, 2005 was not timely filed. Upon receipt, Applicants contacted Mr. John L. Anderson, of the United States Patent and Trademark Office, indicating that a Response was in fact filed. Pursuant to a telephone conversation with Mr. Anderson, Applicants resubmitted a copy of the as filed documents via facsimile on September 13, 2006.

On October 31, 2006, an Official Communication was mailed by the Office of PCT Legal Administration at the United States Patent and Trademark Office. The Communication states that the petition to withdraw the holding of abandonment of the present Application had been dismissed because the Application Number listed on the Response of July 12, 2005 appears incorrectly as 10/503,261. Additionally, the Communication states that

Applicants may file a petition under 37 C.F.R. § 1.182 to correct the Application Number listed on the July 12, 2005 response.

Accordingly, Applicants respectfully request correction of the Application Number listed on the Response of July 12, 2005. Specifically, Applicants request the Application Number be changed from Application No. 10/503,261 to Application No. 10/527,055. Additionally, Applicants respectfully request reconsideration and withdrawal of the holding of abandonment due to the aforementioned typographical error.

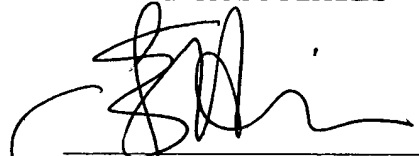
A petition fee of \$400.00, as set forth in 37 C.F.R. § 1.17(f), is submitted with this petition.

Conclusion

Should any questions or comments arise in connection with the filing of this petition, please do not hesitate to contact the undersigned Attorneys.

Respectfully submitted,

NATH & ASSOCIATES

A handwritten signature in dark ink, appearing to be 'Gary M. Nath', is written over a horizontal line.

Gary M. Nath
Reg. No. 26,965
Tanya E. Harkins
Reg. No. 52,993
Ari G. Zytcer
Reg. No. 57,474
Customer No. 20529

November 7, 2006

NATH & ASSOCIATES

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Alexandria, Virginia 22314
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MAIL STOP PCT / SEQUENCE LISTING

Attorney Docket: 26653U

Date filed: July 12, 2005

FILING RECEIPT

Inventor(s): NORDHEIM, et al.

Attorney: GMN/TH

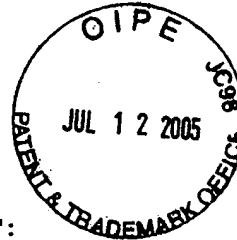
Serial Number: 10/503,261

Filing Date: March 9, 2005

Internatl. Appl. No.: PCT/EP03/09923

Internatl. Filing Date: September 8, 2003

Title: **METHOD FOR DETECTING BIOMOLECULES**



THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) Copy of Notification to Comply with Requirements for a Sequence Listing;
- (3) Response to Notification to Comply with Requirements for a Sequence Listing;
- (4) Statement for Reasons for Not Complying with Requirements For a Sequence Listing.

NATH & ASSOCIATES PLLC

1030 15th St., N.W., 6th Fl.,
Washington, D.C. 20005-1503
(202) 775-8383

FILE CHECK

Prepared by:

LE

Approved by:

TH

Copy reviewed:

LE

Filed by: _____

GMN/TH:le (N.Comply.Requirements.SL)



MAIL STOP PCT MISSING REQUIREMENTS
Attorney Docket: 26653U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

NORDHEIM, et al.

Serial Number: 10/503,261

Filing Date: March 9, 2005

Internatl. Appl. No.: PCT/EP03/09923

Internatl. Filing Date: September 8, 2003

Title: **METHOD FOR DETECTING BIOMOLECULES**

TRANSMITTAL LETTER

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Copy of Notification to Comply with Requirements for a Sequence Listing;
- (3) Response to Notification to Comply with Requirements for a Sequence Listing;
- (4) Statement for Reasons for Not Complying with Requirements For a Sequence Listing.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date filed: July 12, 2005

NATH & ASSOCIATES PLLC
1030 15th St., N.W., 6th Fl.,
Washington, D.C. 20005-1503
(202) 775-8383

By: 

Gary M. Nath
Reg. No. 26,965
Tanya E. Harkins
Reg. No. 52,993
Customer No. 20529



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,055	Alfred Nordheim	26653U

INTERNATIONAL APPLICATION NO.

PCT/EP03/09923

LA. FILING DATE	PRIORITY DATE
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09/08/2003

09/13/2002

20529
 NATH & ASSOCIATES
 1030 15th STREET, NW
 6TH FLOOR
 WASHINGTON, DC 20005

CONFIRMATION NO. 7002
 371 FORMALITIES LETTER
 OC000000016274864
 OC000000016274834

Date Mailed: 03/14/2005

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- o This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- o A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- o For Rules Interpretation, call (571) 272-0951
- o For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-305-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- o Send e-mail correspondence for Patentin Software Program Help @ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,055	PCT/EP03/09923	26653U

FORM PCT/DO/EO/922 (371 Formalities Notice)



MAIL STOP PCT MISSING REQUIREMENTS
Attorney Docket: 26653U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

NORDHEIM, et al.

Serial Number: 10/503,261

Filing Date: March 9, 2005

Internatl. Appl. No.: PCT/EP03/09923

Internatl. Filing Date: September 8, 2003

Title: **METHOD FOR DETECTING BIOMOLECULES**

RESPONSE TO NOTIFICATION TO COMPLY WITH
REQUIREMENTS FOR A SEQUENCE LISTING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply with Requirements for a Sequence Listing of June 14, 2005, submitted herewith are the following:

- (1) Statement for Reasons for Not Complying with Requirements For a Sequence Listing.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date filed: July 12, 2005

NATH & ASSOCIATES PLLC
1030 15th St., N.W., 6th Fl.,
Washington, D.C. 20005-1503
(202) 775-8383

GMN/TH:le (N.Comply.Requirements.SL)

By: 

Gary M. Nath
Reg. No. 26,965
Tanya E. Harkins
Reg. No. 52,993
Customer No. 20529



MAIL STOP PCT MISSING REQUIREMENTS
Attorney Docket: 26653U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

NORDHEIM, et al.

Serial Number: 10/503,261

Filing Date: March 9, 2005

Internatl. Appl. No.: PCT/EP03/09923

Internatl. Filing Date: September 8, 2003

Title: **METHOD FOR DETECTING BIOMOLECULES**

**STATEMENT FOR REASONS FOR NOT COMPLYING WITH
REQUIREMENTS FOR A SEQUENCE LISTING**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the Sequence Listing submitted herewith, the undersigned attorney hereby states that;

- 1) This application relates to a method for detecting biomolecules using a metal compound in the presence of at least one biofunctional agent. This is reflected in the claims. The examples and figures of the application only deal with the question of how the method for detecting molecules can be employed.
- 2) The sequences mentioned in figure 4 of the Application illustrate the suitability of the detection method of the invention for protein identification by ESI-MS after tryptic digest. Therefore, specific sequence depicted therein is for example purposes only.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date filed: July 12, 2005

NATH & ASSOCIATES PLLC
1030 15th St., N.W., 6th Fl.,
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IAP15 Rec'd PCT/PTO 07 NOV 2006
PCT #

MAIL STOP PETITION
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NORDHEIM et al. Art Unit: Unknown
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TRANSMITTAL LETTER

Commissioner for Patents
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- (1) Transmittal Letter;
- (2) Petition Under 37 C.F.R. § 1.182;
- (3) Copy of the Response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures of June 14, 2005;
- (4) Check No. 3155 in the amount of \$400.00 for the petition fee under 37 C.F.R. 1.17(f).

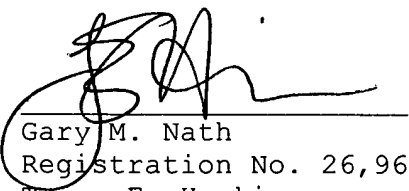
The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: November 7, 2006

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